

REMARKS

Claims 1-19 are pending in this application. Claims 6 and 13 are objected to; and claims 1-5, 7-13 and 15-19 are rejected. Claims 1 and 10-18 are amended hereby.

Responsive to the rejection of claims 1-5, 7-13 and 15-19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,717,053 (Rupert), Applicants have amended claims 1, 10 and 18, and submit that claims 1-5, 7-13 and 15-19 are in condition for allowance.

Rupert '053 discloses a work surface power module 16 (Figs. 1-2) mounted on work center 10 having support 12 and a work surface 14 (column 2, lines 20-22). Power module system 16 includes housing 18, power assembly 20 and clamping device 22 (column 2, lines 23-25). Clamping device 22 includes L-shaped bracket 76, clamping bracket 78 and fastener 80 (column 3, lines 41-42). L-shaped bracket 76 interacts with clamp interface 58 to connect clamping device 22 to lower housing 30 (column 3, lines 42-44). Clamping bracket 78 is slidably positioned along L-shaped bracket 76 by way of slot 82 (column 3, lines 44-45). Fastener 80 tightens clamping bracket 78 against L-shaped bracket 76 as a surface of clamping bracket 78 contacts a lower surface of work surface 14 (column 3, lines 46-48).

In contrast, claim 1, as amended, recites in part: “an electrical workstation module, including: a housing . . . an adjustment element in contact with said housing . . .”. (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Rupert '053 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

In further contrast, claim 10, as amended, recites in part: “An electrical workstation module, comprising: a housing . . . an adjustment element in contact with said housing . . .”. (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor

suggested by Rupert '053 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

In further contrast, claim 18, as amended, recites in part: "placing an electrical workstation module against the worksurface, said electrical workstation module including a housing . . . an adjustment element in contact with said housing . . .". (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Rupert '053 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

Rupert '053 discloses a work surface power module with a clamping device where a fastener tightens a clamping bracket against a L-shaped bracket. Rupert '053 fails to disclose or suggest an adjustment element in contact with the housing.

An advantage of the present invention is that the adjustment element is accessible from the top side of the worksurface.

For all of the foregoing reasons, Applicants submit that claim 1, 10 and 18, and claims 2-5, 7-9, 11-13, 15-17 and 19 depending therefrom, are in condition for allowance, which is hereby respectfully requested.

Additionally, as supported by the assignment and merger documents given in **Attachment A** of this amendment, the present application was under obligation of assignment to Dekko Engineering, Inc. (now Pent Technologies, Inc.) at the time of the invention, and Rupert '053 is assigned to Dekko Engineering, Inc. (now Pent Technologies, Inc.). Under the common ownership exception (35 U.S.C. § 103(c), MPEP 706.02(l)(1)), Rupert '053 is not available as prior art for an obviousness rejection.

At page 4 of the Office Action claims 6 and 14 are indicated allowable, if rewritten in independent form including all of the limitations of the base claim and any intervening claims, for

which courtesy the Examiner is thanked. Applicants have amended claim 6 to include the limitations of claims 1 and 5. Applicants have amended claim 14 to include the limitations of claims 10 and 13, and to correctly recite "An electrical workstation module" in the preamble. For all of the foregoing reasons, Applicants submit that claims 6 and 14 are in condition for allowance, which is hereby respectfully requested.

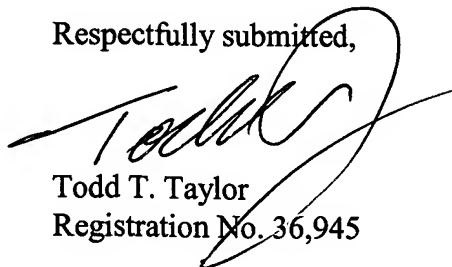
Applicants have amended claims 11-13 and 15-17 to correct their preamble based on their dependency on independent claim 10.

For the foregoing reasons, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



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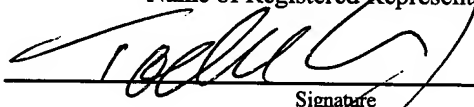
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: September 30, 2004.

Todd T. Taylor, Reg. No. 36,945

Name of Registered Representative



Signature

September 30, 2004

Date

**ATTACHMENT A**